

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|---------------------------------|---|-----------------|
| MONICA GRIFFIN; |) | |
| SHABRE RINNGOLD; and |) | Civil Action |
| ISAIAH BOYER; |) | No. 10-cv-05740 |
| |) | |
| Plaintiffs |) | |
| |) | |
| vs. |) | |
| |) | |
| BERKS COUNTY HOUSING AUTHORITY, |) | |
| SANDRA MILLER; |) | |
| BENNO RUHNKE; |) | |
| TANYA NELSON; and |) | |
| DEIDRE DURHAM; |) | |
| |) | |
| Defendants |) | |

O R D E R

NOW, this 4th day of December, 2014, upon consideration of the following documents:

- (1) Defendants Housing Authority of the County of Berks, Sandra Miller, Benno Ruhnke, and Tanya Nelson's Motion for Summary Judgment filed August 11, 2014 (Document 76)("Defendants' Motion for Summary Judgment")¹, together with
 - (A) Defendants Housing Authority of the County of Berks, Sandra Miller, Benno Ruhnke, and Tanya Nelson's Brief in Support of Motion for Summary Judgment (Document 76-1) ("Defendants' Brief in Support")
 - (B) Exhibit A to Defendants' Brief in Support (Document 76-1), Excerpts from May 23, 2014 Deposition of Monica Lee Griffin; and

¹ Because defendant Durham joins, in toto, her co-defendants in their motion for summary judgment and their opposition to plaintiffs' motion, any reference to Defendants' Motion for Summary Judgment incorporates the motion of defendant Durham.

- (C) Defendants Housing Authority of the County of Berks, Sandra Miller, Benno Ruhnke, and Tanya Nelson's Concise Statement of Material Facts in Support of Motion for Summary Judgment (Document 77)("Defendants' Statement of Facts"); and
 - (i) Exhibit A to Defendants' Statement of Facts (Document 77), Amended Complaint filed March 5, 2012 (Document 30);
 - (ii) Exhibit B to Defendants' Statement of Facts (Document 77); Excerpts from the May 23, 2014 Deposition of Monica Lee Griffin;
- (2) Defendant Deidre Durham's Motion for Summary Judgment filed August 14, 2014 (Document 80), together with
 - (A) Defendant Deidre Durham's Brief in Support of Motion for Summary Judgment (Document 80-1); and
 - (B) Defendant Deidre Durham's Concise Statement of Material Facts in Support of Motion for Summary Judgment (Document 81);
- (3) Plaintiffs' Monica Griffin, Shabre Ringgold, and Isiah Boyer's Motion for Summary Judgment filed September 8, 2014 (Document 85)("Plaintiffs' Motion for Summary Judgment"), together with
 - (A) Plaintiffs' Monica Griffin, Shabre Ringgold, and Isiah Boyer Concise Statements of Material Facts in Support of Motion for Summary Judgment (Document 86)("Plaintiffs' Statement of Facts"); and
 - (B) Exhibits A through F to Plaintiff's Statement of Facts (jointly, Document 86);

- (4) Plaintiffs' Monica Griffin, Shabre Ringgold, and Isiah Boyer's Brief in Support of Motion for Summary Judgment, which brief was filed September 15, 2014 (Document 87)("Plaintiffs' Brief in Support");
- (5) Plaintiffs' Monica Griffin, Shabre Ringgold, and Isiah Boyer's Opposition to Defendants Motion for Summary Judgment, which opposition was filed September 15, 2014 (Document 88), together with
 - (A) Plaintiffs' Monica Griffin, Shabre Ringgold, and Isiah Boyer's Brief in Support of Opposition to Defendants Motion for Summary Judgment (Document 88)("Plaintiffs' Brief in Opposition");
 - (B) Exhibits A through E to Plaintiffs' Brief in Opposition (jointly, Documents 88 and 88-3)²;
 - (C) [First] Affidavit of Monica Griffin dated September 10, 2014 (Document 88); and
 - (D) [Second] Affidavit of Monica Griffin dated September 11, 2014 (Document 88); and
 - (E) Exhibits [A]A through [A]F to Plaintiffs' Statement of Facts (jointly, Documents 88-1 through 88-2);
- (6) Defendants Housing Authority of the County of Berks, Sandra Miller, Benno Ruhnke, and Tanya Nelson's Brief in Opposition to Plaintiffs' Motion for Summary Judgment, which brief in opposition was filed September 29, 2014 (Document 89), together with

² Paragraph 6 of the [First] Affidavit of Monica Griffin explains that Exhibit D to Plaintiffs' Brief in Opposition is a series of photographs. Although the cover sheet for Exhibit D to Plaintiffs' Brief in Opposition appears in Document 88 (specifically, as page 21 of 31), the photographs themselves appear electronically on the docket as Document 88-3 (specifically, as pages 1 through 11 of 11).

(A) Defendants Housing Authority of the County of Berks, Sandra Miller, Benno Ruhnke, and Tanya Nelson's Concise Statement in Response to Plaintiffs' Concise Statement of Material Facts in Support of [Plaintiffs'] Motion for Summary Judgment (Document 90) ("Defendants' Brief in Opposition"); and

(7) Defendant Deidre Durham's Brief in Opposition to Plaintiffs' Motion for Summary Judgment, which brief in opposition was filed October 2, 2014 (Document 91), together with

(A) Defendant Deidre Durham's Concise Statement in Response to Plaintiffs' Concise Statement of Material Facts in Support of [Plaintiffs'] Motion for Summary Judgment (Document 92);

and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that Defendants' Motion for Summary Judgment is granted.

IT IS FURTHER ORDERED that Plaintiffs' Motion for Summary Judgment is denied.

IT IS FURTHER ORDERED that summary judgment is entered in favor of defendants Berks County Housing Authority, Sandra Miller, Benno Ruhnke, Tanya Nelson, and Deidre Durham, and against plaintiffs Monica Griffin, Shabre Ringgold, and Isaiah Boyer on the claims remaining in the Amended Complaint filed March 5, 2012 (Document 30).

IT IS FURTHER ORDERED that the Clerk of Court shall
mark this case closed for statistical purposes.

BY THE COURT:

/s/ JAMES KNOLL GARDNER _____
James Knoll Gardner
United States District Judge